

## PUBLIC HEARING

JANUARY 14, 2015

A public hearing of the Council of the County of Kaua'i was called to order by Arryl Kaneshiro, Vice Chair, Public Works / Parks & Recreation Committee, on Wednesday, January 14, 2015, at 1:35 p.m., at the Council Chambers, 4396 Rice Street, Suite 201, Historic County Building, Līhu'e, and the presence of the following was noted:

Honorable Mason K. Chock  
Honorable Gary L. Hooser  
Honorable Ross Kagawa (*present at 1:43 p.m.*)  
Honorable Arryl Kaneshiro  
Honorable JoAnn A. Yukimura  
Honorable Mel Rapozo

Excused:       Honorable KipuKai Kuali'i

The Clerk read the notice of the public hearing on the following:

"Bill No. 2568 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 21, SECTION 21-9.1, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO INTEGRATED SOLID WASTE MANAGEMENT,"

which was passed on first reading and ordered to print by the Council of the County of Kaua'i on December 17, 2014, and published in The Garden Island newspaper on December 26, 2014.

The following communications were received for the record:

1. Burrell, Pamela, January 14, 2015
2. Cox, Helen, December 17, 2014
3. Parsons, Brad, January 9, 2015

The hearing proceeded as follows:

SCOTT K. SATO, Council Services Review Officer: We have received three (3) written testimony and we have two (2) registered to speak. The first speaker is Pat Gegen, followed by "Big Boy" Kupo.

Committee Chair Kaneshiro: Pat, you have three (3) minutes.

PAT GEGEN: Aloha, Councilmembers. My name is Pat Gegen. I am here representing myself and Zero Waste Kaua'i today. Looking at Bill No. 2568, I believe it is important to start from the beginning. What is the purpose of "Pay As You Throw (PAYT)?" Pay As You Throw is a strategy used to help residents understand some of the costs associated with discarding materials and trying to get them to see if there are better alternatives available that they can use. These alternatives include reducing the amount of trash you create by making

better purchasing decisions; reducing your consumption of wasteful products; reusing and donating usable goods, rather than sending them to the landfill; recycling items that you can; and composting those materials that will provide us with new soil. The current law, Ordinance No. 975, allows for an eight dollar (\$8) per month differential, meaning that a resident who can and does use the alternative methods of managing their discards and uses a sixty-four (64) gallon cart instead of the ninety-six (96) gallon cart could reduce their yearly charge by ninety-six dollars (\$96) each year and they would actually save twenty-four dollars (\$24) over what they are paying today. This begs the question— Is a ninety-six dollar (\$96) differential enough to change a person's behavior? For some, it will be enough and for some it will not. This decision was already made and it is already a compromise that was done. It is lower than what was suggested by the consultants used by the County. Proposed Bill No. 2568 eliminates a significant differential and really compels no one to make any changes to their disposal habits. By keeping the ninety-six (96) gallon cart at twelve dollars (\$12)— I believe the majority will not make any changes at all to their disposal habits. The majority of those who choose the sixty-four (64) gallon cans are probably people who already cannot fill up a ninety-six (96) gallon can. With only a three dollar (\$3) per month differential, it is not much of an enticement for people to look for different ways of disposing their goods. I believe that Bill No. 2568 is very shortsighted, legislatively, and focuses on minimal short-term benefits, a few dollars each month, while it neglects long-term environmental and financial benefits. Environmentally, not having a Pay As You Throw system in place that achieves better diversion is useless. The current Pay As You Throw system is in line with the Integrated Solid Waste Management plan adopted by the County. Well, not all items of the plan that have been followed are in place. I totally support putting those items in place that we can and that we have in front of us. How much is it going to cost taxpayers if the Environmental Protection Agency (EPA) requires us to cap the landfill because of methane? Not an inexpensive proposition. How can we limit how quickly that occurs? By reducing the amount of organics there. How can we do that? By composting, recycling paper and those types of goods that do not create methane when they are covered. What other greenhouse gas is doing to our environment? Most people and scientists agree that increases in greenhouse gasses are impacting our climate. Again, this is a long-term issue that can help be minimized by actions we take today like trying to decrease the amount of trash going into the landfill. Pay As You Throw systems have proven cost effective and have ultimately saved many municipalities...

Committee Chair Kaneshiro: Your three (3) minutes is up, but you can have three (3) more minutes in the next go-around.

*(Councilmember Kagawa was noted as present at 1:43 p.m.)*

Mr. Gegen: I have one more sentence. It has saved many municipalities a fair amount of money, thus saving taxpayers money in the long-term. I urge you to make the best long-term decision, which is not to pass Bill No. 2568. Thank you.

Mr. Sato: Our next speaker is "Big Boy" Kupo.

Committee Chair Kaneshiro: You have three (3) minutes, Big Boy.

"BIG BOY" KUPO: For the record, "Big Boy" Kupo. My concern about this is that Solid Waste wants to increase the trash pick-up and come July,

we will just have that one (1) man operation. We are losing two (2) men that are on the refuse truck already, so I do not know why Solid Waste wants an increase because we are eliminating two (2) positions in this waste management pick-up. Because they are thinking about recycling, we have recycle units in different districts here on the island and it is there free for the people, so why should we charge the people more so that there can be more recyclable management? That is my concern. I do not think that this increase is justifiable. That is my concern. That is it. Thank you.

Committee Chair Kaneshiro: Thank you.

Councilmember Yukimura: Can I ask a question?

Committee Chair Kaneshiro: Yes. Councilmember Yukimura.

Councilmember Yukimura: Hi, Big Boy. Are you aware of how much it cost per household to do the service of pick-up and landfill?

Mr. Kupo: No, but right now, every homeowner is supposed to be allowed two (2) thirty-five (35) gallon trashcans. So if you put that to one (1), that is sixty-four (64) gallons, which is what Solid Waste Management wants the homeowners to use now come July. They have a choice of a sixty-four (64) gallon trashcan or a ninety-six (96) gallon. So the increase of the sixty-four (64) is not justifying because we already have a sixty-four (64) gallon of our trashcan pick-up now. It is not a single trashcan, it is two (2) trashcans, but it is only thirty-two (32) gallons, which the County has allowed throughout the years.

Councilmember Yukimura: Are you aware of how much that costs the County?

Mr. Kupo: No, I do not.

Councilmember Yukimura: It is like fifty-seven dollars (\$57) a month.

Committee Chair Kaneshiro: Councilmember Yukimura, you can only ask clarifying questions right now.

Councilmember Yukimura: Yes. This is clarifying.

Mr. Kupo: Okay.

Councilmember Yukimura: Just so you know.

Mr. Kupo: In the past also, the County charged the homeowners for... it used to be twelve dollars (\$12) a month that they assess in your tax fee and it seems like the price is going up higher. I can see where the improvement coming in, but using the word for homeowners to be more recyclable—if they are not doing it now when there are bins out there free for the public, then why does Solid Waste want us to go with these larger trashcans and increase the payment on them? That is what I cannot see.

Councilmember Yukimura: Okay. Thank you very much.

Mr. Kupo: Okay. Thank you.

Committee Chair Kaneshiro: Is there anyone else in the audience who wishes to testify? Okay. Please state your name. You have three (3) minutes.

LAUREL BRIER: Laurel Brier. I am sorry you missed Mr. Gegen's testimony, Councilmember Kagawa.

Councilmember Kagawa: I heard it before.

Ms. Brier: Okay. Good. It is my impression that we do spend a lot of money on waste disposal... our County does. It is a huge environmental cost to us all. So to ask people who are adding more to that and not choosing to recycle, reuse, or reduce... choosing being lazier or more gluttonous, or whatever it is, then there should be a little price attached to that because we are all really paying the big price. When we talk about the County getting back to basics, I think this is really key: in looking how we spend our money and taking care of our island. Thank you.

Committee Chair Kaneshiro: You have a question. Councilmember Kagawa.

Councilmember Kagawa: So if you have a large family of six (6) and they recycle all they can, but they still need the ninety-six (96) gallon can, are they lazy?

Ms. Brier: I do not believe that is true. I believe that having a larger family, myself, at times it is very easy for us to keep half of standard size by simple recycling.

Councilmember Kagawa: Thank you.

Committee Chair Kaneshiro: Would anybody else in the audience like to testify? Come on up.

JOE ROSA: Good afternoon, Members of the Council. For the record, Joe Rosa. I am here to speak about that also. It seems that people who recycle paper, aluminum cans, plastic bottles, or whatever will be penalized for something that they are already doing. Also, I would like to know if the whole island is under the County refuse collection bins because from the way I understand, it was mostly in Kapa'a and Līhu'e, and they were going to get around to the rest of the island eventually. Why penalize the people who are on the system? Why do you not go after the other household homes and get them, so we have more volume in income? Not only people that are with the canisters being penalized and the other ones are being penalized, but no canisters. My canister... the lid came off, so I had to call in to get it fixed; apparently which they did because I had the same bin number, so I knew they came and fixed the lid. Those are the things like I say that we are paying for services, but yet, it is not a whole island wide thing. I take my papers to the bin, plastic bottles, and aluminum cans. I am being penalized for something to force the people to go and recycle. So what about those poor people that are doing the recycling and getting some income for their trash and stuff? The only thing is for my green waste, I take it down to the Ahukini dump. Now, starting July of this year it is going to pay or cost me to pay for it.

Again, like I mentioned to Council Chair last year, "Jay, I do not know how you are going to charge the people to pay by weight because you do not have any scales at those centers in Hanalei, Kapa'a, Līhu'e, and Hanapēpē. Where are the scales? How are you going to scale those trucks? Are you going down to halfway bridge? You can get the (inaudible) weight, but what about the gross weight of the commodities being brought over to dump?" Those are the kinds of things, "Ready, Fire, and Aim." You supposed to be ready, aim, and then you fire, but do not jump the gun. It is the same thing... going to fix those collection centers when one (1) service truck can just dump the load one time instead of making two (2) loads, then they have to push in and make the public wait. I have seen it done in Ahukini. It is a one (1) man truck, but the guy...

Committee Chair Kaneshiro: Mr. Rosa, your three (3) minutes are up.

Mr. Rosa: Okay, I will wrap it up. Those are the kinds of things like I say— now, we have a new Administration look into it and all these things that came about was more money for whatever things that the County needed to run. Do not penalize the people. Also, not too many people can make compost because that reads rats. One of my neighbors had it and I see the rats come out night time.

Committee Chair Kaneshiro: Okay. Thank you.

Mr. Rosa: It is a health hazard too, JoAnn. Think about it.

Councilmember Yukimura: I have a question.

Committee Chair Kaneshiro: We are going to take a quick tape change.

There being no objections, the public hearing recessed at 1:50 p.m.

The public hearing reconvened at 2:00 p.m., and proceeded as follows:

Committee Chair Kaneshiro: We are back in session. Mr. Rosa, can you please come up again? I think Councilmember Yukimura had a question for you.

Councilmember Yukimura: Mr. Rosa, thank you for your testimony. I have to remember what I was going to ask you. You said that we are going to be charging for green waste if you take it to the transfer station.

Mr. Rosa: Where are you going to scale (inaudible) pay as you go?

Councilmember Yukimura: The Bill before and the Bill now does not deal with any charges at the transfer station, so if people do not want curbside pick-up, they can take it to all the transfer stations for free. That is not going to be charged at the transfer station.

Mr. Rosa: Are you sure?

Councilmember Yukimura: If I am wrong, correct me.

Mr. Rosa: Why just pay as you go?

Councilmember Yukimura: Everybody is paying six dollars (\$6) anyway.  
I see... excuse me.

Mr. Rosa: That is why I said I understood from the start that when you go to unload it at the unloading stations, you will be paying a fee because they are going to scale you.

Councilmember Yukimura: The six dollars (\$6) that we pay for landfill costs, everybody will pay that, whether they throw it in the transfer station or they throw it away at home. But everybody is going to do that because all of that stuff ends up in the landfill, so there is that cost.

Mr. Rosa: That means that when I go to Ahukini now, do I have to pay six dollars (\$6) a can?

Councilmember Yukimura: Not over there, no. You are already paying for it right now.

Mr. Rosa: I know I am paying for it because I have a big canister already.

Councilmember Yukimura: But if you go and take it to the transfer station, they are not going to charge you money at the transfer station.

Mr. Rosa: Are you sure? People feel the same way with me. They ask, "How are you going to scale it?"

Councilmember Yukimura: I understand the concern if it were...

Mr. Rosa: When I mentioned it to Jay, I asked, "Are you going to provide scales to take the gross weight of my vehicle when I bring trash down there?"

Councilmember Yukimura: No, you are not going to be charged.

Mr. Rosa: Well, he did not answer me.

Councilmember Yukimura: Who did not answer you?

Mr. Rosa: Ex-Chair Jay Furfaro.

Councilmember Yukimura: Okay.

Committee Chair Kaneshiro: Mr. Rosa, you had your three (3) minutes and she asked you the question...

Councilmember Yukimura: Well, we need to clarify for the public because if people have the wrong idea, they will be talking about things that are not real. I just want to clarify that and I appreciate you giving us the opportunity to clarify that. Thank you very much.

Mr. Rosa: Well, I pointed it out because people were in doubt like me, with what you say, because it gave them the impression that every time they take trash down like a lot of them do, that they are going to be paying for it because it is going by weight.

Councilmember Yukimura: So please let them know that that is not going to be the case.

Mr. Rosa: Well, I hope our media that is covering the news here prints it out, too.

Councilmember Yukimura: I hope so, too. Thank you.

Committee Chair Kaneshiro: Does anybody else want to testify on this matter?

Mr. Sato: We have one (1) additional speaker, Tek Nickerson.

Committee Chair Kaneshiro: Okay. Tek, come on up. You have three (3) minutes.

TEK NICKERSON: Thank you, Councilmembers. I appreciate that opportunity. My name is Tek Nickerson and I am a resident of Kilauea. I am also a member of Zero Waste Kaua'i. The reason why Zero Waste Kaua'i drafted the Bill the way they did is to create the incentive for recycling. What I understand Ross Kagawa is suggesting would take away that incentive and it would create, in my opinion, a tremendous (inaudible) extraordinary expenses it is. I do not believe that is the interest of the public. We need incentives like eighty percent (80%) difference in costs to incentivize people to do the recycling. The way it is written now will do that to the best of our knowledge based on what other people's experience are in the mainland. Thank you very much.

Committee Chair Kaneshiro: Thank you. Is there anyone who wants to testify? Seeing none, this public hearing for Bill No. 2568 is now adjourned.

There being no further testimony on this matter, the public hearing adjourned at 2:01 p.m.

Respectfully submitted,



SCOTT K. SATO  
Council Services Review Officer

